

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

640 OCTAVIA LLC,

Plaintiff,

No. C 18-01047 WHA

v.

KARL HEINZ-PIEPER,
and DOES 1–45, inclusive,

Defendants.

**NOTICE RE FINAL
PRETRIAL CONFERENCE**

For Wednesday’s final pretrial conference, the parties should be prepared with respect to, among all usual things, the following:


1. Each side shall bring sets for the judge and clerk of all initial disclosures, disclosures of expert testimony, and pretrial disclosures (and any supplements thereto) made pursuant to FRCP 26(a).
2. Plaintiff shall bring a complete copy of the transcript of the deposition of Neil Martinson.
3. With respect to Randi Hite, each side shall bring to the final pretrial conference all emails, subpoenas, and other evidence related to her potential deposition and plaintiff’s alleged stonewalling. If it is true that plaintiff’s counsel accepted a deposition subpoena for Hite and defendant’s statements regarding plaintiff’s stonewalling are also true (or largely true), then plaintiff is in trouble on defendant’s third motion *in limine*. Tentatively, the deposition of Randi Hite is

ordered to take place on **FRIDAY, MARCH 22 AT 9:00 A.M.** at a place in San Francisco to be designated by defense counsel.

4. With respect to Katherine Hemmenway, plaintiff's opposition to defendant's fourth motion *in limine* states that she will testify that, among other things, "Odlaw is a shell entity and its income tax returns reflect this status." This raises the question of whether or not plaintiff ever designated Hemmenway as an expert witness. The parties should be prepared to discuss this issue at the final pretrial conference.
5. Please bring to the final pretrial conference copies of any and all proposed exhibits subject to any motion *in limine*, including, without limitation, plaintiff's proposed exhibits 3–9, 30–32, 34, and 43–44. Any counsel wishing to exclude any evidence must have bench copies of that very evidence at the ready.
6. Please be prepared to address what the Ellis Act has to do with the San Francisco Residential Rent Stabilization and Arbitration Ordinance.

IT IS SO ORDERED.

Dated: March 18, 2019.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE